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HOUSE BILL 796

By Briley

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1, Part 1, relative to certain juvenile adjudicatory hearings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new, appropriately designated section:

37-1-182. Notwithstanding any other provision of law or rule of court to the contrary, the following time limits shall apply:

(1) All delinquent cases in which a child is detained in a secure facility based on the pending charge shall be scheduled for adjudication within sixty (60) days of the date the child is taken into custody except for cases where probable cause has been found that the child committed: criminal homicide, aggravated robbery, especially aggravated robbery, carjacking, kidnapping, aggravated kidnapping, especially aggravated kidnapping, aggravated assault, rape, aggravated rape, sexual battery, aggravated sexual battery, rape of a child, aggravated arson, an attempt to commit any of these offenses or any offense requiring scientific testing or lab analysis as part of its case and chief. These cases shall be set for adjudication at the discretion of the court.

(2) Dispositional hearings for a child held in a secure facility shall be entered or set for a hearing within forty-five (45) days of the adjudicatory hearing or plea.

(3) Transfer hearings for a child held in a secure facility based on the pending charge shall be held within ninety (90) days of the date the child is taken into custody.

(4) Upon good cause being shown, or by agreement between the parties, any case may be continued as the court may direct.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.